

## REMARKS

Claims 1-9 and 11-20 are active. Claim 10 is canceled. Minor amendment is made to certain of the claims wherein the subject matter of claim 10, canceled, is written into claim 9. Claims 1-9 and 11-20 are subject to restriction with claims 1-7, 11 and 13-18 being grouped in Group I drawn to a polymer mixture and product, claim 8 being grouped in Group II drawn to a printing process, and claims 9, 10 (canceled and written into claim 9), 12, 19 and 20 being grouped in Group III, drawn to a different process. Further, the Action requests that applicants elect a single species comprising the specific polymers of claims 2 and 3. The drawings are objected to.

### The Drawings

The Action objects to the drawing stating the details are not clear. No specifics are given. Applicants do not know what details are not clear. However, it is assumed that certain of the chart lines are too light. These are darkened in the replacement drawings. This basis of the rejection is believed met and should be withdrawn. If the Examiner has other elements of the drawing in mind he is invited to call the undersigned to discuss and clarify this issue.

### The Restriction

Applicants traverse the restriction and provisionally elect the claims of Group I, claims 1-7, 11 and 13-18 and elects the species comprising the polymer polythiophene of claim 2 and polymethyl methacrylate of claim 3. The claims that read on the elected species include claims 2, 3, 13, 14, 19 and 20.

The Action states the Groups I and II are not so linked as to form a single inventive concept under PCT Rule 13.1. Further, a single inventive concept is not in Rule 13.1. Rather what is required is a special technical feature that defines a

contribution over the prior art. Applicants disagree with this conclusion. Perhaps the Examiner has overlooked the language of claim 8 calling for:

the polymer mixture as claimed in claim 1 being used as a print medium in the known process. (underlining added)

Plainly, the polymer mixture of claim 8 is that as claimed in claim 1. Therefore claim 8 is so linked to claim 1 so as to form a single inventive concept, i.e., it contains a special technical feature that defines a contribution over the prior art under PCT Rule 13.1. The term "defines a contribution over the prior art" means that the subject matter is novel and inventive. No art is cited so that so called single concept comprises the claim 1 mixture and meets the requirements of Rule 13.1. The restriction to claim 8 is believed to be in error and should be withdrawn.

The remaining restriction is to Group III, comprising claims 9, 10 (canceled) 12, 19 and 20. Claim 10 (canceled and presently written into claim 9), like claim 8, called for the process to use the polymer mixture of claim 1. Perhaps the Examiner has overlooked this aspect of claim 10 also. Applicants believe that this claim also is restricted in error. A claim that incorporates the subject matter of another claim must be considered in its entirety as including all of that other claim subject matter for purposes of unity of invention under PCT Rule 13.1.

Claim 9, as amended now calls for:

the double layer produced by printing a printing medium comprising the polymer mixture of claim 1 for forming the one or more semiconductive polymers in a first of its layers, and the one or more non-semiconductive polymers in a second of its layers

This claim is linked to claim 1 to form a single general inventive concept, i.e., is a special technical feature that defines a contribution over the prior art similar to claims 1 and 8. The restriction is believed moot and should be withdrawn as to Groups I, II and III since all claims include a special technical feature that defines a contribution over the prior art as required by PCT Rules 13.1 and 13.2, per claim 1.

The restriction as to the species is believed in error as there is no showing that the species do not include a special technical feature that defines a contribution over the prior art. The species claims 2 and 3 depend from claim 1 and thus are so linked contrary to the conclusion of the Action.

PCT Rule 13.2 states:

The "requirement of unity of invention referred to in Rule 13.1 shall be fulfilled only when there is a technical relationship among those inventions one or more of the same or corresponding special technical features. The expression 'special technical features' shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art" (The features are novel and inventive). That common special technical feature comprises claim 1 from which all claims depend. Claim 1 calls for:

polymer mixture, the polymer mixture having semiconductive properties, the mixture comprising:

- one or more semiconductive polymers; and
- one or more non-semiconductive polymers.

No art is cited which shows that claim 1 is not novel and inventive and thus is a contribution over the prior art as required by PCT Rule 13.2. Claim 1 ("the special technical feature") is by definition common to all of the claims which depend from it and include its subject matter. This claim defines a contribution over the prior art, i.e., is novel and inventive, such that there is unity of invention under PCT Rule 13.1.

The reasoning given for the lack of unity for the species of claims 2 and 3 is traversed. The Action states that the species lack the same or corresponding special technical features on the basis the chemical structures and interactions of the different combinations of polymers are independent. This basis is not correct. This reasoning ignores the fact that claims 2 and 3 are dependent on claim 1. Since claims 2 and 3 depend from allowable claim 1, they define a contribution over the

prior art, there is a common special technical feature to these claims that mandates that there is unity of invention.

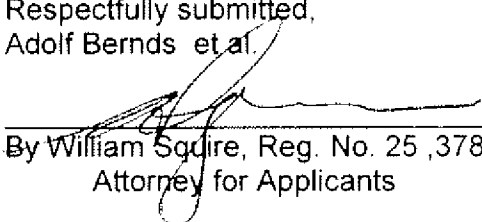
Plainly, dependent claims include all of the structures of the independent claim from which they depend and thus there is unity of invention as to all such claims. Under Rule PCT 13.1 there is no unity of invention problem with respect to all claims depending from the same claim, since by definition all such claims comprise the same special technical feature which is distinguishable over the prior art, since no art is cited. Unity of invention practice under Rule 13.1 does not use the same criteria as in US practice as set forth in the MPEP.

Applicants respectfully request that the restriction should be withdrawn and all claims examined on the merits.

While no fee is believed due for this paper, the Commissioner is authorized to charge any fee that might be due for this paper or credit any overpayment to deposit account 03 0678.

April 30, 2009

Respectfully submitted,  
Adolf Bernds et al.



By William Squire, Reg. No. 25,378  
Attorney for Applicants

CARELLA, BYRNE, BAIN,  
GILFILLAN, CECCHI, STEWART &  
OLSTEIN  
Five Becker Farm Road  
Roseland, NJ 07068

973 994 1700  
fax 973 994 1744

371086v1